

ATTACHMENT "D"

**AUDITOR AND CONTROLLER DEPARTMENT
RULES REGARDING INCOMPATIBLE ACTIVITIES**

Pursuant to Government Code Sections 1125-1127 and Board of Supervisors' Resolution of February, 1972 (41), each appointing authority of the County of San Diego is required to formulate rules specifying those activities for compensation outside of County duties of the employees under his/her jurisdiction, which are inconsistent and incompatible with their duties as County employees. In compliance with this rule, the Chief Financial Officer/Auditor and Controller has determined that the outside activities as set forth in the rules, as outlined hereunder, would be detrimental to the functions and responsibilities of employees of this Office and are therefore prohibited.

- I. Any activity which involves the use for private gain or advantage of County time, facilities, equipment or materials including but not limited to the following:
 - A. Any outside employment, including employment with another government entity or nonprofit organization, or personal activity which results in receipt of telephone calls or visitors by the employee while he/she is on duty at his/her County employment.
 - B. Use of any County equipment, sale of publications or written materials that were prepared on County time or utilizing County facilities, equipment and/or material for personal monetary gain. Funds from the sale of copies of County Reports are deposited in the County General Fund.
 - C. Any outside employment activity, including employment with another government or nonprofit organization, which would interfere with efficient performance of his/her County duties in the Auditor and Controller Department.
- II. Any activity which involves the use for private gain or advantage of the badge, uniform, prestige or influence of the individual's County employment, including the following:
 - A. Directly or indirectly soliciting, seeking or accepting personal loans, gifts, gratuities, business, compensation or favors from public jurisdiction, private business firms or their agents who deal with this Office or any department of the County of San Diego.
 - B. Using official information not readily available to the general public, gained in the course of County employment, for private gain or advantage or the gain or advantage of another.
 - C. Awarding or administering of a contract or purchase order to any firm in which the employee has any interest either direct or indirect.

Rules Regarding Incompatible Activities

Page Two

- III. Any activity which involves the receipt by the employee of money or other consideration from private parties for the performance of acts which the employee is expected to render in the regular course of his/her duties as a County employee, including the following:
 - A. Any consultation work for a fee or other remuneration concerning the application or interpretation of orders, directive, or other communications of this department, the Board of Supervisors or any other agency or department of the County of San Diego.
 - B. Accepting any form of commercial bribery, or any appearance or perception of such action.
- IV. Any activity which is in conflict with the duties and responsibilities of the employee's Department, including the following:
 - A. Any paid or unpaid outside employment, including employment with another government entity or nonprofit organization, which will impair the employee's independence of judgement as to his/her County duties.
 - B. Any outside activity, including employment with another government entity or nonprofit organization, which will require or induce the employee to disclose confidential information acquired by him/her in the course of his/her County duties.
 - C. Outside employment, including employment with another government entity or nonprofit organization, with an entity which has a contract with the County; or has had a contract within the last twelve (12) months.
 - D. Functioning in any purchasing or sales activity whereby County vendor contracts may be utilized.
 - E. Working in capacity, paid or unpaid, for a present or known prospective County supplier.
 - F. Any outside employment or activity which would reflect unfavorably on the Auditor and Controller Department or the County.
 - G. Any outside employment, including employment with another government entity or nonprofit organization, in which a part of the employee's efforts therein may be subject to approval, review, control, or audit by another employee, officer, board or commission of the County.

Rules Regarding Incompatible Activities
Page Three

V. Disclosure of Outside Activities:

- A. Employees of the Auditor and Controller Department shall disclose or report to the Department Head in writing any outside employment or activity where any part of his/her efforts will be subject to approval by any other officer, employee, board of commission of the County.**
- B. Any person employed in the Auditor and Controller Department shall disclose any assignment of work that relates to any organization, property or activity in which he/she or a member of his/her immediate family has an interest. He/she will disclose and report such interest in writing to the Department Head.**
- C. Employees of the Auditor and Controller Department shall disclose to the Department Head in writing if he/she makes a presentation before any officer, board, or commission which the Auditor and Controller represents or advises and in which the employee or a member of his/her immediate family has an interest.**
- D. Employees of the Auditor and Controller Department shall disclose in writing any paid position held in a nonprofit entity which has or is seeking contracts with the County of San Diego.**
- E. The Disclosure requirements shall be applicable to employees of the Auditor and Controller Department who are employed by another government entity or nonprofit organization.**
- F. Where employees of the Auditor and Controller Department are authorized to expend time and/or resources on outside activities, those involved will document the activities and make it available to the Department Head.**

VI. Any outside activity which involves time demands which render the performance of his/her County duties less efficient.

- A. Outside employment or activity due to its nature or direction causing an employee to perform his/her duties in a less than satisfactory manner because of physical or mental fatigue.**

Rules Regarding Incompatible Activities
Page Four

- VII. Sideline, part-time or after-hours business. Certain persons may find themselves in a position wherein they have undertaken a small *sideline, part-time or after-hours business* or are helping someone with a direct sales organization. This does not, at this time, appear to be detrimental or in conflict with the Auditor and Controller Department operations unless:
- A. Business is conducted during County working hours.
 - B. The activity requires a substantial amount of after-hours working time and would fall under Paragraph VI as noted above.

All such activities shall be reported by the employee to the Department Head whenever such activity is undertaken.

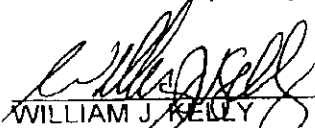
ATTACHMENT "E"

**THE AUDITOR AND CONTROLLER DEPARTMENT
CODE OF ETHICS**

Employees of the Department shall:

1. Demonstrate the highest standards of personal integrity, truthfulness, honesty and fortitude in all public activities in order to inspire public confidence and trust in public institutions.
2. Serve in such a way that they do not realize undue personal gain from the performance of their official duties.
3. Avoid any activity which is in conflict with the conduct of their official duties.
4. Support, implement, and promote merit employment and programs of affirmative action to ensure equal employment opportunity by recruitment, selection and advancement of qualified persons from all elements of society.
5. Eliminate all forms of illegal discrimination, fraud, and mismanagement of public funds, and support colleagues if they are in difficulty because of responsible efforts to correct such discrimination, fraud, mismanagement or abuse.
6. Serve the public with respect, concern, courtesy, and responsiveness, recognizing that service to the public is beyond service to oneself.
7. Strive for personal professional excellence and encourage the professional development of associates and those seeking to enter the field of public administration.
8. Approach the Department and their operational duties with a positive attitude and constructively support open communication, creativity, dedication, and compassion.
9. Respect and protect the privileged information to which they have access in the course of official duties.
10. Exercise whatever discretionary authority they have under law to promote the public interest.
11. Accept as a personal duty the responsibility to keep up-to-date on policies/procedures/regulations, on emerging issues, and to administer the public's business with professional competence, fairness, impartiality, efficiency and effectiveness.

(From American Society for Public Administration's "Code of Ethics and Implementation Guidelines" adopted by ASPA National Council on March 27, 1985.)


WILLIAM J. KELLY

Chief Financial Officer/Auditor and Controller

2/11/99

DATE

COUNTY OF SAN DIEGO AUDITOR AND CONTROLLER DEPARTMENT
RULES REGARDING INCOMPATIBLE ACTIVITIES POLICY

EMPLOYEE ACKNOWLEDGEMENT

I, _____, acknowledge that I have received a copy,
read and understand the contents of the *Rules Regarding Incompatible Activities* for the Auditor
and Controller Department.

☐

I have no outside interest or activities, as defined in the *Rules*, to report.

☐

I have outside interest or activities, as defined in the *Rules*, to report, as
attached hereto.

Employee Name: _____
(please print)

Employee Signature: _____

Date: _____

Supervisor's Signature: _____

Date: _____

(File acknowledgement form in official departmental personnel file.)